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Federal Communications Commission  
Washington, D.C. 20554  
November 12, 1998

In Reply Refer To:  
2000F/PJD

WT Docket # 96-86

The Honorable David Price  
U.S. House of Representatives  
2162 Rayburn House Office Building  
Washington, D.C. 20515

RECEIVED

JAN 28 1999

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

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MAY 28 1999

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Dear Congressman Price:

Thank you for your letter dated September 26, 1998, to Chairman William Kennard on behalf of the Town of Hillsborough, North Carolina, regarding public safety spectrum. Your letter included a letter from Horace H. Johnson, Sr., Mayor, Town of Hillsborough, North Carolina, which expresses support for providing additional radio spectrum for public safety communications, especially for interoperability. You ask that we advise you whether the Commission is currently considering any rule changes along the lines described in Mayor Johnson's letter.

Mayor Johnson suggests the designation of a "Public Safety Interoperability Band" to help facilitate communications between different jurisdictions during an emergency. Specifically, the Mayor identifies three megahertz of spectrum in the 139.0-140.5 MHz and 141.5-143 MHz bands (138-144 MHz band) that NTIA recently identified for reallocation from federal governmental to private and commercial services. Mayor Johnson adds that the 138-144 MHz band is ideal for public safety communications because it is near to an existing, congested public safety band (150-170 MHz) and existing public safety radios could operate on both bands, which would facilitate interoperability.

The Commission is actively considering these issues. On August 6, 1998, the Commission adopted service rules for the 24 megahertz of spectrum reallocated to public safety services pursuant to the Congressional mandate contained in the Balanced Budget Act of 1997. We are enclosing a news release summarizing the Commission's action in its *First Report and Order and Third Notice of Proposed Rulemaking*, WT Docket No. 96-86.

Briefly, the Commission designated 2.6 megahertz of the new spectrum for nationwide interoperability and announced that it is establishing a National Coordination Committee (NCC) to develop and recommend national standards for operation and use of this spectrum. In the *Third Notice*, the Commission seeks comment on: (1) designating five interoperability channels in existing public safety bands below 512 MHz, including the 150-174 and the 450-512 MHz bands; (2) whether channels in the 138-144 MHz bands should be designated for public safety use generally, and interoperability use specifically (a future proceeding will address permanent use of these channels); and (3) redesignating three frequency pairs in the 156-162 MHz band for interoperability in 33 Economic Areas that are now available for public safety use.

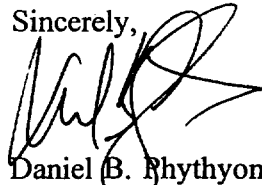
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Comments in response to the *Third Notice* in WT Docket No. 96-86 are due on or before January 4, 1999, and reply comments are due on or before February 1, 1999. Before reaching any decisions in this proceeding, the Commission will take into account all views presented as part of the record. Accordingly, we will enter Mayor Johnson's letter, as well as your letter, into the record of WT Docket No. 96-86.

While I cannot prejudge the outcome of WT Docket No. 96-86, I can assure you that the Commission is acutely aware of the important role played by public safety radio communications in protecting life and property and that the Commission will consider the impact of its decisions on the public safety community's ability to fulfill its missions.

Thank you for your interest in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'DR', with a stylized flourish extending from the end.

Daniel B. Rhythyon  
Chief, Wireless Telecommunications Bureau

Enclosure

<b>DOCUMENT</b>		10-15-98		CONTROL NO.		98-07671	
NO. 15466		11-13-98		BUREAU		WTB	
SUBJECT		I 09-26-98		N		LET 4	
NAME		Price, David		CGM		NC	
ORG.		U.S. House of Representatives				D	
ADDRESS 1		2162 Rayburn House Office Building		HAPP			
ADDRESS 2				SUB COMP			
CITY/STATE/ZIP		Washington DC 20515		STATUS		Congressman	
<b>SUBJECT</b> Inquiry-Private Radio Bureau issue							
ASSIGNED TO		SBURNHAM		CLOSED			
REPLY IN FINAL		10-15-98		BUREAU CHIEF		DA	
				Horace Johnson		EBUTLER	
				The Honorable			

*Same*

DAVID PRICE  
4TH DISTRICT  
NORTH CAROLINA  
COMMITTEE ON APPROPRIATIONS



CONGRESS OF THE UNITED STATES  
HOUSE OF REPRESENTATIVES  
WASHINGTON, DC 20515

September 26, 1998

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*WBT*  
*PR*  
*7/6/11*

The Honorable William E. Kennard  
Chairman  
Federal Communications Commission  
1919 M Street, N.W. Room 814  
Washington, D.C. 20554-0001

Dear Mr. Chairman:

I am writing on behalf of a constituent, the Mayor of Hillsborough, North Carolina, Horace Johnson.

I have enclosed Mayor Johnson's letter which describes his suggestion for a "Public Safety Interoperability Band" which could help with the problem of communications between different jurisdictions during an emergency. I believe this idea is worth investigating and would appreciate your views on it. Please advise me as to whether the FCC is currently considering any changes such as the one outlined.

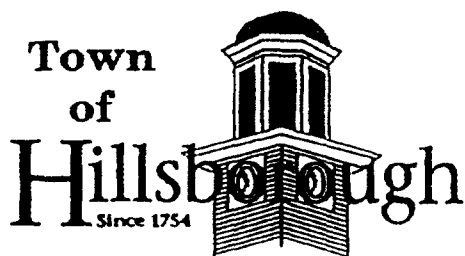
Thank you for your prompt attention to this matter. I look forward to your response.

Sincerely,

DAVID PRICE  
Member of Congress

DP:mh

Enclosure



August 18, 1998

The Honorable Jesse Helms  
US Senate  
P O Box 2888  
Raleigh, NC 27602

The Honorable Lauch Faircloth  
US Senate  
310 new Bern Avenue, Suite 120  
Raleigh, NC 27601

The Honorable David Price  
US House of Representatives  
225 Hillsborough Street #490  
Raleigh, NC 27603

Dear Mr. Senator/Representative:

We are writing to urge you and your colleagues to give careful consideration to the provision of additional radio spectrum for public safety communications, especially interoperability. The spate of natural disasters over the past year has increased the concern we identified in last year's Balanced Budget Act, P.L. 105-33, over the need to ensure additional spectrum to provide interoperability between and among public safety communications systems, to provide relief from highly congested frequency bands, and to enable public safety agencies to upgrade their communications Systems. In our Town of Hillsborough, we face interference in our ability to communicate in responding to disasters, and we do not have interoperability with our neighboring jurisdictions.

We believe a portion of the band identified by the National Telecommunications and Information Administration (NTIA) might be an ideal opportunity. Title III of the new Act required the NTIA to identify 20 MHZ of spectrum below 3 GHz for reallocation by the FCC for private and commercial services. This spectrum is in addition to the radio spectrum recently made available to public safety from TV channel 60-69 at the upper end of the UHF television band, also pursuant to the Budget Act. Pursuant to its duties, NTIA has recently identified for reallocation 3 MHZ of radio spectrum in the 138-144 MHZ band (139.0-140.5 MHZ and 141.5-143 MHZ),

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August 18, 1998


Page 2

but not until 2008. This spectrum, currently assigned for military use, is free of government use and therefore available for private use in many parts of the country today.

The 138-144 MHZ radio band is ideal for public safety communications. It is close to the nearby 150-170 MHZ band, which is the principal — but highly congested — band for fire, police, forestry, highway, and other public safety communications across the country. Thus, the equipment is relatively low in cost; and the frequencies provide excellent propagation characteristics for mobile/portable radio system.

We cannot overemphasize the importance of securing this additional radio spectrum for interoperability of our nation's public safety communications systems. All too often, public safety personnel from different jurisdictions, and even different agencies within the same jurisdiction, are unable to communicate with each other when responding to emergencies. This problem occurs largely because of the incompatibility of radio equipment operating on different frequencies. The creation of a "Public Safety Interoperability Band" utilizing spectrum technically close enough to existing public safety bands could allow for the manufacture of radios capable of operating on existing and new spectrum allocations. Reallocating a portion of the 138-144 MHZ band for the establishment of a "Public Safety Interoperability Band," and to supplement other critical functions, would greatly improve our Nation's public safety communications systems.

Sincerely,

  
Horace H. Johnson, Sr., Mayor  
Town of Hillsborough